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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,897	06/26/2003	Michael R. Fender	10030339-1	6585

7590 11/29/2004  
AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
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EXAMINER

BHAT, ADITYA S

ART UNIT PAPER NUMBER

2863

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/606,897	FENDER ET AL.	
	Examiner	Art Unit	
	Aditya S Bhat	2863	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Taraki et al. (USPN 5,898,307).

With regards to claim 1, Taraki et al. (USPN 5,898,307) teaches a method comprising the steps of:

displaying a first icon corresponding to a multi-source measurement; (Col.3, lines 64-67)

displaying waveforms;(72;See figure 8)

visually associating the first icon with at least one of the waveforms responsive to user input; (Col.3, lines 64-67) and

performing a multi-source measurement related to the waveforms responsive to visually associating the first icon with at least one of the waveforms. (Col.1, lines 37-40) (Col.1, lines 59-62)

With regards to claim 2, Taraki et al. (USPN 5,898,307) teaches the step of displaying a result of the multi-source measurement.(See figure 2)

With regards to claim 3-4 and 13-14, Taraki et al. (USPN 5,898,307) teaches the user input is provided via a pointing device that is one of a mouse, a joystick, a track-ball, a touch-screen, or a touch-pad. (29,28;See figure 1)

With regards to claim 5 and 15, Taraki et al. (USPN 5,898,307) teaches a visually associating the first icon with at least one of the waveforms includes displaying a second icon moving from a location of the first icon to a location of one of the waveforms, and displaying a third icon moving from the location of one of the waveforms to a location of another one of the waveforms. (Col.3, lines 40-45)

With regards to claim 6 and 16, Taraki et al. (USPN 5,898,307) teaches the second icon and the third icon are similar in appearance to the first icon. (See figure 2)

With regards to claim 7 and 17, Taraki et al. (USPN 5,898,307) teaches the method is performed by an oscilloscope. (Col.1, line 60)

With regards to claim 8 and 18, Taraki et al. (USPN 5,898,307) teaches the waveforms correspond to respective signals received by the oscilloscope from a device under test. (Col. 2 ,lines 5-10)

With regards to claim 9 and 19, Taraki et al. (USPN 5,898,307) teaches the step of displaying a value for the multi-source measurement. (27;figure 1)

With regards to claim 10, Taraki et al. (USPN 5,898,307) teaches the value is one of a set-up time, a hold-time, a time difference, or a phase difference. (Col. 1, lines 22-35)

With regards to claim 11, Taraki et al. (USPN 5,898,307) teaches a system comprising:

a display, (27;figure 1)and  
at least one processor (26;figure 1) that is programmed to:  
cause a first icon corresponding to a multi-source measurement to be displayed by the  
display, (Col.3, lines 64-67)  
cause waveforms to be displayed by the display, (See figure 2)  
cause the first icon to be visually associated with at least one of the waveforms  
responsive to user input; (Col.3, lines 64-67) and  
perform a multi-source measurement related to the waveforms. (Col.1, lines 59-61)

With regards to claim 20, Taraki et al. (USPN 5,898,307) teaches a system  
comprising: means for displaying waveforms and an icon corresponding to a multi-  
source measurement (27;figure 1)

means for visually associating the icon with at least one of the waveforms  
responsive to user input; (Col.3, lines 64-67) and

means for performing a multi-source measurement related to the waveforms  
(Col.1, lines 59-61)

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to  
applicant's disclosure. Batson et al (USPN 4,821,030) teaches a touchscreen-feedback  
system, Miller et al. (USPN 6,791,545) teaches measurement icons for digital  
oscilloscopes, and Taraki et al. (USPN 5,898,307) teaches a independent cursor control  
in dual trace engine analyzer scope


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya Bhat  
November 12, 2004

**BRYAN BUI**  
**PRIMARY EXAMINER**

  
11/23/04